

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

Case No. 4:19-cv-00957

Judge George C. Hanks, Jr.

**NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF DEFENDANTS’
MOTION TO EXCLUDE CLASS PLAINTIFFS’ EXPERT D. PAUL REGAN**

The undersigned Defendants’ respectfully submit this Notice of Supplemental Authority in support of their Motion To Exclude Class Plaintiffs’ Accounting Expert D. Paul Regan Under Rule 702 [ECF No. 512] (the “Motion”) to bring to the Court’s attention a recent judicial ruling, *In re Under Armour Sec. Litig.*, --- F. Supp. 3d ---, 2024 WL 1635680, at *5 (D. Md. Apr. 16, 2024), a copy of which is attached to this Notice as Exhibit A.

The *Under Armour* court is now the second to exclude Regan from testifying about “opinions” that are derived from his interpretation of cherry-picked emails (and the third court to exclude him overall). *See id.* at *5 (“Regan’s [] opinion ... invades the authority of the trier of fact to determine for itself the plain meanings of the evidence presented at trial. As such, Regan is precluded from testifying as to [that opinion].”). This decision further supports excluding Regan’s factual mouthpiece opinions in this case relating to AMH’s and Kingfisher’s financial projections (ECF 512 at 3-8; *see also* ECF 622 at 3-10), and AMR’s internal controls (ECF 512 at 10-13; *see also* ECF 622 at 14-16).

Dated: May 6, 2024

Respectfully submitted,

By J. Christian Word

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CERTIFICATE OF SERVICE

I certify that on May 6, 2024, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

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